

CIVILITY

The Berryessa Union School District is committed to maintaining orderly educational and administrative processes so as to maintain learning and working environments free from disruptions, and preventing unauthorized persons from entering school/district grounds. District staff will address parents and other members of the public with respect and expect the same in return.

This policy promotes mutual respect, civility and orderly conduct among district employees, parents and the public. This policy is not intended to deprive any person of his/her right of freedom of expression but only to maintain, to the extent possible and reasonable, a safe harassment-free workplace for our students and staff. In the interest of presenting district employees as positive role models to the students of this district, as well as the community, the district encourages positive communication, and discourages volatile, hostile or aggressive actions. The district seeks public cooperation with this endeavor.

Legal References:

EDUCATION CODE

32210 Willful disturbance of public school

44014 Assaults, required report

44810 Interference

44811 Disruptions

PENAL CODE

243.5 Assault on school property

415.5 Unlawful fighting on school grounds

626.8 Schools

627.7 Misdemeanors, punishment

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Any individual who disrupts or threatens to disrupt school/office operations; threatens the health and safety of students or staff; willfully causes property damage; uses loud and/or offensive language which could provoke a violent reaction; or who has otherwise established a continued pattern of unauthorized entry on school property will be directed to leave school district property promptly by the appropriate administrator or designee.

If any individual uses obscenities or speaks in a demanding, loud, insulting and/or demeaning manner, the administrator or employee to whom the remarks are directed will calmly and politely admonish the speaker to communicate civilly. If corrective action is not taken by the abusing party, the district employee will verbally notify the abusing party that the meeting, conference or telephone conversation is terminated and if the meeting or conference is on district premises, the offending person will be directed to leave promptly.

When an individual is directed to leave under the above circumstances, the appropriate administrator or designee may inform the person that he/she may be guilty of a misdemeanor in accordance with California Education Code 44811 and Penal Code 415.5 and 626.7, if he/she reenters any district facility within 30 days after being directed to leave, or within seven days if the person is a parent/guardian of a student attending that school. If an individual refuses to leave upon request or returns before the applicable period of time, the appropriate administrator or designee may notify law enforcement officials. An incident report should be completed for these situations.

When violence is directed against an employee, or theft against property, employees shall promptly report the occurrence to their principal or supervisor and complete the incident report. Employees and supervisors should complete an incident report and report to law enforcement, any attack, assault or threat made against them on school/district premises or at school/district sponsored activities.

When it is determined that a member of the public is in the process of violating any provision of this policy, an effort should be made to provide a written copy of this policy, including applicable code provisions, at the time of the occurrence. The employee will immediately notify his/her supervisor and provide a written report of the incident.

Following any violation of this policy the supervisor shall complete an incident report, which shall be forwarded to the Superintendent or Designee. The Superintendent or Designee, after consulting with the site based supervisor, may develop and submit a letter to the offending individual informing them that he/she may be guilty of a misdemeanor and that he/she is prohibited from entering any district facility within 30 days after being directed to leave, or within seven days if the person is a parent/guardian of a student attending that school.

This letter shall also inform the offending member of the public that any violation of this reentering order may result in the District filing a formal complaint with the Police Department.

Regulation
approved:

BERRYESSA UNION SCHOOL DISTRICT
San Jose, California